



REPUBLIC OF KENYA

BOMET COUNTY ASSEMBLY

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 1 NO. 13

DAILY HANSARD

OFFICIAL HANSARD REPORT

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p m

Third County Assembly- First Session

Wednesday, 2nd November, 2022

*(The Assembly met at 2:30 p m in the
County Assembly Mini Chamber at County Assembly Buildings)*

[Hon. Speaker (Hon. C. Korir) in the Chair]

PRAYERS

PAPERS

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Hon. Speaker, Sir, I beg to lay the following Papers on the Table of the County Assembly today, Wednesday, 2nd November 2022:

1. The Special Audit Report of the Auditor General on Covid-19 vaccine rollout for Bomet County as at 31st March 2022.
2. The County Government of Bomet Consolidated Report and Financial Statements for the Quarter ended September 30th, 2022.

(Hon. P. Kirui proceeded to lay)

Hon. Speaker (Hon. C. Korir): I commit the Papers that have been laid to work on them within a period of 30 days.

MOTION

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Hon. Speaker, I beg to Move a Motion;

THAT, pursuant to Standing Order 197 of the County Assembly Standing Orders, this County Assembly adopts the Second Report of the Committee on Appointments ...

Hon. Speaker (Hon. C. Korir): Hon. Leader of Majority have you lay all your Papers?

Hon. P. Kirui Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Yes, I have.

Hon. Speaker (Hon. C. Korir): You only read one.

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): I read two, Hon. Speaker.

Hon. Speaker (Hon. C. Korir): I heard the Report on Special Audit Report of the Auditor General. Which is the second one?

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): I am sorry, Hon. Speaker. I read one. The second one is the County Government of Bomet Consolidated Report and Financial Statements for the Quarter ended September 30th, 2022.

(Hon. P. Kirui proceeded to lay)

Hon. Speaker (Hon. C. Korir): Hon. Leader of Majority, thank you. I direct that the Committee on Budget and Appropriation table a report on the Paper laid within 30 days.

You can now proceed with the Motion you were Moving.

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Thank you, Hon. Speaker. Hon. Speaker, I beg to Move a Motion;

THAT, pursuant to Standing Order 197 of the County Assembly Standing Orders this County Assembly adopts the Second Report of the Committee on Appointments on the vetting of County Executive Committee Member nominee in charge of Trade, Energy, Tourism, Investment and Industry and pursuant to Article 179 (2) (b) of the Constitution of Kenya, 2010 rejects the appointment of Juliah Chepkuto Jepchirchir as the County Executive Committee Member in charge of Trade, Energy, Tourism, Investment and Industry.

Hon. Speaker, Sir, I will go straight to the submissions by the nominee.

Oral Submission by Hon. Juliah J. Chepkuto - Nominee For The Position of CECM for Trade, Energy, Tourism, Investment and Industry

During its sittings held on Monday 24th October 2022 at the County Assembly Mini Chambers, the Committee orally interviewed the nominee. The Minutes of the vetting proceedings are attached (Annex 5).

Hon. Juliah J. Chepkuto - nominee for the position of CECM Trade, Energy, Tourism, Investment and Industry, appeared before the Committee on Monday 24th October, 2022 at 10.30 am and was vetted under oath pursuant to Article 179(2)(a) of the Constitution, the Public Appointments (County Assemblies Approvals) Act, 2017 and the Standing Orders of the County Assembly. The Committee noted the following:

Date and Place of Birth

The nominee is a female Kenyan born on 15th February, 1974 in Baringo County. The nominee confirmed that she was a Kenyan citizen and did not hold any other citizenship.

Academic and Professional Qualifications

The nominee holds a Bachelor of Education Degree (2013) from the African Nazarene University. She also holds a Diploma in Early Childhood Development Education (ECDE)

Employment Record

The nominee served as CECM, County Government of Bomet from September 2019 to date and a teacher with the Teachers Service Commission from September 1997 to September 2019. Further, she has served in various dockets, including:

- (a) a Member of the Board of Management for a 3-year period, Oterit Secondary School, from 7th July 2022.
- (b) a Member of the Board of Management for a 3-year period, Saoset Secondary School, from 9th May 2022.
- (c) A Member of the Board of Management for a 3year period, St Catherine Girls Secondary School from 9th May 2022.
- (d) A Member of the Hospital Management Board, Longisa County Referral Hospital for 3-year period (from March 2019)
- (e) Elected as Branch Executive Committee, KNUT BOMET BRANCH, 2016 to 2021

Income and Net worth

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The nominee estimated her net worth to be Kshs. 3.5 million with the sources of income being salary, dividends from shares and farming activities.

Professional Association and Memberships

The nominee is a member of the Catholic Women Association and is a Youth Matron.

Potential Conflicts of Interest

The nominee declared that she currently does not have any persons or matter that would present a potential conflict of interest should she assume the position of CECM Trade, Energy, Tourism, Investment and Industry.

Pro-bono/Charity Work

The nominee is involved in charity work through Catholic Women Association and at one point in time they build the House for a needy person.

Integrity

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliamentary or any Commission of Inquiry in the last three (3) years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

General and Sector Specific Questions to Hon. Juliah J. Chepkuto - Nominee for The Position Of CECM Trade, Energy, Tourism, Investment And Industry

The Committee posed several questions to the nominee on the following sections in her docket. The nominee responded as follows: -

How to ensure a vibrant SME sector

The nominee said that she would organize training for SMES on how to manage finances and how to operate a business. She added that the sector utilized kshs 4 million in the Juakali sector in both Sotik and Bomet Towns.

How to ensure access to modern energy sources in homes and ensure rural connections to electricity

The nominee informed the Committee that she would seek to have a joint venture with Rural Electrification and Renewable Energy Corporation and that already in her docket they have done the following connections: Bing'wa (Kipreres 57 households at a cost of ksh 3.9 million, Kapkulumben, 32

households at a cost of kshs 3.3 million, Tiriyaap Moita, 80 households and Teganda Catholic Church, 184 households at a cost of ksh 7.4 million

The number of floodlights installed in the county

The nominees said that 199 floodlights have been installed and 12 are ongoing. The Committee noted that she would have to produce a document to verify the number and places the lights are installed at

The Committee further interrogated the nominee the Committee on the following since her term of service from 2019: The status of county tourism, list of tourism sites that have been established so far, revenue collected in the tourism sector and programmes she has put in place to ensure county tourism is developed

The nominee answered that in 2019 she sought to link up with other Tourism Circuit Counties and in 2021 the programmes in the county were launched by the then Tourism Minister, Honourable Najib Balala

Some of the tourist sites developed include Iria Maina Caves which was fenced and pathways to the waterfalls developed at a cost of ksh 10 million.

The nominee was asked further questions on the development of hydro power in the County (Iria Maina) since it seemed there was little development since she assumed her tenure from 2019

The nominee said that they work with limited funds and that in FY 2021/2022 no funds were allocated to the sector but previously they had matched REREC's contribution of kshs 20 million raising the fund value to ksh 40 million which was expended to put up buildings. The Committee asked her if she was aware that turbines were still lying unused at Boito Market and this was attracting holding charges and she affirmed this was the case

The nominee was interrogated on the number of Juakali sheds the docket has put up ever since she assumed office in 2019

The nominee affirmed that the 3 sheds have been completed since 2019 in Kembu, Mogogosiek and Silibwet and that construction of one shed was ongoing in Chebunyo

The nominee was questioned on the status of County Handbook and if she has developed one as CECM in her docket and also if she has attended any trade and investment fairs and summit and organized one (if any)

She said there was no handbook developed but that a policy on investment was ongoing development and once it is adopted and passed by the Assembly it will be posted on the website. She affirmed that she has attended a trade and investment fair in the tourism sector but she has not organized any in Bomet County

The nominee was questioned why there are boda boda sheds erected by the Department by the roadside and which have been condemned by KENHA (in Mogogosiek, Bomet Town and Korara) and the procedure followed when erecting them and steps (if any) she has taken to salvage the situation since she has been in the docket since 2019

The nominee answered that they were erected by the roadside as a temporary measure to provide a good environment for business people since the county lacks space. She added that this was done after consultations with KENHA who advised them to erect portable sheds that can be chiseled out and moved to new location. One had already been chiseled out in Merigi due to ongoing road constructions but it will be erected afresh once road works are complete

The Committee asked the nominee why County markets have no signage to show location and enhance customer visibility and access despite previous allocation of kshs 14 million for market development and steps (if any) she had taken to remedy this

The nominee said they had done some progress in construction of *juakali* sheds despite lack of signage. She clarified that they had built 3 sheds for women who deal in market produce and that one shed was commissioned in Sigor and that one shed in Longisa was 10% complete. She added that in Ndanai Town the construction was at Roofing. Each shed was allocated 4.8 million for construction stage.

The Committee asked the nominee to respond why street lights across the county do not work at times either due to lack of tokens or when they are damaged they are not immediately repaired and what could be done to ensure they operate effectively.

She clarified that installation of floodlights was a programme in Energy sector where they erected three lights per Town or market centre. She attributed lack of lighting to delays in payment for tokens and that vagaries of weather caused damage to the floodlights but she added that as soon as citizens or business people inform them of the damage they sent technicians to repair quickly.

The nominee was asked to respond to the Following: Progress made by the county to have a unified single business permit instead of multiple licenses to enable ease of doing business in the county.

She responded that when she joined the docket in 2019 she found a memo that advised that all matters involving taxation was a function of finance docket after reorganization of dockets and she did not follow up on the matter again.

The nominee was further questioned on unfair trade practices in the weights and measures section (produce is packaged in bags which weigh beyond 50kg recommended for potatoes for instance) and also dearth of qualified personnel in the sector and steps (if any) she had taken to remedy the scenario. Further the

Committee asked her if she knew of the final destiny of agricultural produce produced in the county and sold to traders

The nominees clarified that business was a private affair between traders and producers and she could not intervene. She added she was not aware there was a policy limiting sale of potatoes in bags exceeding 50 kg. On matter of exploitation in the weighing scales, she clarified that technicians moved all over the county recalibrating the scales but they were overwhelmed. She added she was not aware where produce sold by farmers was destined to and she had never visited any of the markets.

She was further asked if she was aware that the county revenue was on a flat trajectory over the years and that core revenue generating streams like Chebunyo Livestock Market was relocated to Narok County during covid-19 period and that Mulot slaughter house was closed.

The nominee added that the traders were being persuaded to come back gradually after a series of meetings with relevant stakeholders. She said she had accompanied the Governor on visits to the markets with other county officials and stakeholders but she thereafter (in her docket) did not visit either of the markets for situational survey or familiarization tour.

The nominee was questioned why in the FY 2019/2020 ksh 25 m was allocated to the envisioned industrial park (Economic Processing Zone) and later reallocated for not being utilized and what role (if any) she played in the reallocation.

The nominee added that the amounts mentioned were meant for fencing of the Industrial park and that she wanted to confirm the exact budget for the said programme.

The nominee was questioned on the planned programmes to unlock business opportunities for example industrial training and capacity building and the fact that in the current financial year kshs 20 million was allocated for capacity building. The Committee wanted to know the number of seminars for capacity building organized during her tenure and the criteria for nominating participants to attend such seminars.

The nominee mentioned that kshs 20 million was used for training and facilitation activities such as transport and snacks and refreshments. She added she let the officers in her docket decide on the participants and the programme has not received any complaint so far.

The promise by His Excellency the Governor to promote local business development and investment through adoption of “One Village One Product Development Approach” and the progress made in development of role sweet potato as an export crop in the programme ever since she took over in 2019

The Nominee said that no developments on export of sweet potato were ongoing but she clarified that avocado crop was picking up as a cash crop for export by individuals in conjunction with traders especially in Kembu and Chemaner. She added that she was not aware of stevia, a crop that was mentioned to her by an Honourable Member as an alternative crop to be developed.

The Committee wanted to know from the nominee progress of tea exports to Iran

She answered that it was negotiated by the Governor and his team and that she was present in its launch but only finance docket and officers responsible for revenue collection could give data on revenue earned.

The Committee inquired from the nominee further on the progress made to develop Bomet as a tourist hub

The nominee said that Iria Maina was developed by fencing being made. She added that Chepalungu Forest was highlighted as a conservation zone or eco-tourism site in Western Region Tourist Circuit and that one kilometer of electric fence per year was installed in the last two financial years and in the current financial the forest is expected to rejuvenate. The total cost was 4.9 million shillings for among other programmes tourist development, Training in areas like Iria Maina, Kipsigis highlands and Togat Sports Centre. The nominee added that visitor arrivals in Iria Maina were in a range of 800-1500 per year and a monthly range of 200-250 per month (students from schools and local university). The nominee still added that in Chepalungu forest there are no charges for entry

The Governor's promise as elucidated in the Assembly on 11th October 2022 to create a favourable environment for Micro, Small and Medium Enterprises (MSMEs) such as the boda-boda, mama mboga and Jua Kali artisans to thrive and the creation of a fund of ksh 10m for boda boda sector whose operations may slow down based on previous low absorption of funds in the docket. She was required further to explain bottlenecks that face the SME Sector and possible solutions.

The Nominee added that they have plans to budget for installation of Mama Mboga Sheds in all wards and already Ndanai and Sigor have such sheds. She added that the boda-boda sector faces challenges of financial knowledge on how to manage income and expenditure and clarified the fund will be of help in the sector but that the relevant docket to distribute the funds is cooperatives and not her docket

The nominee was required to enlighten the committee on the following: The Status of LREB (Lake Region economic bloc) and its impact on local economy, pending bills relating to the LREB conference since 2018/2019 and what steps she has taken to resolve the impasse. Further, the progress of Investment Policy developed with assistance of US AID and also a copy of the investment handbook as shown to have been developed in FY 2020/2021.

The nominee answered that LREB economic block had been hampered by Covid since 2020 but that in the current financial year ksh 20 million was budgeted for the event. The nominee added that if the economic block is developed it can be good for export of essential agricultural products. The nominee further added that she was not aware of pending bills relating to the conference held in Bomet County in 2018/2019. Again, she noted there was no investment handbook but only an investment policy developed in the department.

The Committee asked the nominee if she had attended any Trade Fair and lessons (if any) learnt

The nominee answered that she had not attended any Trade Fairs as the events were disrupted by Covid since 2020 but that she had previously attended twice in the Tourisms docket in Nairobi and she learnt useful lessons that she will share latter with her docket especially the juakali sector (if given a second opportunity).

The nominee was asked to explain recent conversations surrounding the matter of mechanization by the Multinationals in the tea sector and the local community perspective on impeding job loss occasioned as well as recent unrest in the sector

The nominee answered that tea picking machines adopted by Multinationals should be removed since they take away jobs from the local people. She added she was not aware there was unrest in the sector lately

The nominee was questioned on prospects of clean energy sources and how the Businesses in the County could benefit from such shifts to alternative clean energy such as solar energy to power homes, farms, market centres and learning institutions

The nominee answered that they were piloting adoption of solar power in the floodlights and that the development of other hydro power sources such as Iria Maina were a work in progress and asked for three years' time to report progress made. She later promised to Fast-track the process in one year if she gets a chance again in the docket.

The nominee was further questioned on the matter of delayed salaries and mode of payment where some personnel are paid through excel payroll (manual) instead of the more secure IPPD

The nominee clarified that in her docket she has 15 staff and all are on the IPPD payroll. She added some sectors could be paying through manual excel sheets.

The Status of County Enterprise Fund

The nominee clarified that the fund was moved from Trade to Cooperatives sector.

The Status of her docket of Trade, Tourism, Industry and Energy since 2019 when she assumed the docket and if she had developed any Strategy Paper or working documents

The Nominee noted she had not made any Strategy Paper or working documents but she added she adheres to budgeting documents such as ADP or CIDP

The Committee asked the nominee the amounts budgeted in her docket in the current financial year

The Nominee answered that the total budget is kshs 50M as follows: Some of the items in the budget are as follows:

Trade: 12 million, Energy: 11M; Tourism: 8.5; Industry Support: 7 million, JuaKali Sector: 2m.

The budget totals ksh 50 million.

The Committee gave the nominee a chance to give her concluding remarks on her legacy and achievements

The nominee said she was happy about her tenure as she is a capable and dedicated person and installed equipment in the JuaKali sector and valued friendly human relationships. She thanked the Governor for giving her an opportunity to serve in the past and still nominating her presently. She thanked the Committee too for a friendly engagement during the interview.

COMMITTEE'S OBSERVATIONS ON KEY AREAS VETTED ON

After the vetting exercise, the committee made the following observations regarding the nominee;

Academic Qualifications

The committee noted that the nominee holds a Bachelor of Education Degree (2013) from the African Nazarene University and a Diploma in ECDE from DICECE, Nakuru

Memoranda Contesting the Suitability of the Nominee

There was no memorandum submitted to the committee challenging or supporting the nomination or otherwise of Juliah J. Chepkuto – a nominee for the position of CECM Trade, Energy, Tourism, Investment and Industry as at the time of vetting and approval hearing¹¹

Appreciation and Understanding of Relevant Policies, Matters and Legislations in the docket

The committee noted that the nominee did not appreciate relevant policies, matters and legislations in her docket. She is not aware of a National policy that limits packaging of potato produce in packs not exceeding 50 kilograms. Further, the nominee has never visited any markets that the produce from the County is destined to.

Integrity

The Committee noted the following with regards to documents submitted by the nominee

SNO.	Documents	Remarks
1.	National Identification Card/passport	The nominee submitted her National ID card No 12936114 confirming that she is a Kenyan citizen.
2.	KRA compliance	The nominee submitted During the vetting, the nominee submitted valid KRA tax compliance certificate
3.	Higher Education Loans Board (HELB)	During the vetting, the nominee submitted a valid HELB compliance certificate serial No 452698 in the year 2013.
4.	Clearance from EACC	The nominee submitted a sworn self-declaration form to EACC as required under the Leadership and Integrity Act.
5.	Clearance from the Criminal Investigation Department.	The nominee submitted a valid police clearance certificate dated 31.08.2022
6.	Clearance from professional bodies	The nominee is not a member of any professional body
7.	Clearance from Credit Reference Bureau	The nominee submitted a valid CRB clearance dated 17.08.2022
8.	County Assembly vetting questionnaire	The nominee submitted a filled questionnaire indicating that she is Kenyan and her place of permanent and current residence is Bomet.

Other Key Areas on Vetting of the Nominee

The Committee observed the following with regards to key areas of vetting of the nominee:

NO	KEY AREAS VETTED	COMMITTEE OBSERVATIONS
1.	Academic Qualification	The nominee holds a Bachelor of Education Degree (2013) from the African Nazarene University. She also holds a Diploma in ECDE (2009). The nominee therefore fulfilled section 35(3)(b) of the County Government Act, 2012.
2.	Communication and presentation (promptness, appearance, neatness of resume/application)	The nominee did not sufficiently communicate her understanding of the portfolio promptly before the committee. She is not aware that LREB is not budgeted for in the current FY. She claimed there was a budget of ksh 20 million. The nominee further added that she was not aware of pending bills relating to the conference held in Bomet County in 2018/2019 yet this item has consistently been budgeted for.
3.	Education and Training (Relevant to the portfolio)	The nominee did not demonstrate to the committee that her education background, training and experience was relevant to the portfolio.
4.	Work Experience as it relates to the position	The nominee has more than 20 years' experience in the education sector and has served as Board Member of various school boards and Hospital Management Board. She has also served as a County Executive Committee Member in charge of Trade, Energy, Tourism, Investment and Industry in Bomet County for a period of over three years. The Committee noted that these skills have not been fully displayed in her current docket
5.	Professional skills and technical skills	While the nominee has administrative skills in management and public service having served at senior

		positions in public institutions she did not apply these skills sufficiently in her docket. The committee noted that the nominee did not exhibit sufficient understanding of the docket of Trade, Energy, Tourism, Investment and Industry, the position she has been nominated to serve in. She has not organized any trade fairs in the County despite attending two such fora. The Committee noted the nominee claimed that the budget in her docket(current FY) is ksh 50M and yet the records show that it is ksh 68 Million. The nominee also acknowledged that she has not developed any working documents or strategy papers in her docket. The Investment Handbook is yet to be developed.
6.	Additional skills as per the position applied for	The nominee did not demonstrate additional skills. She did not make additional follow up meetings after the initial general public fora to ensure Chebunyo Cattle auction is operational (Bomet side) nor did she make follow up on status of Mulot Slaughter house after it was closed to ensure it is reopened so as to contribute to the county revenue which has been on a flat trajectory
7.	Knowledge on the laws of Kenya and other guiding principles e.g. The Constitution of Kenya, 2010, The devolution laws, vision 2030, etc.	The nominee was not conversant with the relevant laws of Kenya, the relevant policies and the functions of the department Trade, Energy, Tourism, Investment and Industry. She is not aware there is unrest in the Tea sector after introduction of Tea plucking machinery. She is of the opinion machines should be banned which portrays lack of knowledge on matters like investor confidence or how to strike a balance in such a situation. She is not aware there is a policy that limits packaging of potatoes in bags that do not exceed 50kg

8.	Leadership and Integrity as per Chapter Six of the Constitution of Kenya, 2010.	The nominee submitted the original documents as required by the Constitution of Kenya, 2010. She therefore, satisfied the requirements as per Section 35(3)(c) of the County Governments Act, 2012.
9.	Decision making and problem-solving skills	The nominee did not demonstrate practical solutions to the challenges affecting the sector of Trade, Energy, Tourism, Investment and Industry. She has never engaged traders dealing in fresh produce in Youth Farmers who are exploited by middle men nor has she sought to find alternative markets for the county produce

Academic Qualifications

The committee noted that the nominee holds a Bachelor of Education Degree (2013) from the African Nazarene University and a Diploma in ECDE from DICECE, Nakuru

6.2 Memoranda Contesting the Suitability of the Nominee

There was no memorandum submitted to the committee challenging or supporting the nomination or otherwise of Juliah J. Chepkuto – a nominee for the position of CECM Trade, Energy, Tourism, Investment and Industry as at the time of vetting and approval hearing

6.3 Appreciation and Understanding of Relevant Policies, Matters and Legislations in the docket

The committee noted that the nominee did not appreciate relevant policies, matters and legislations in her docket. She is not aware of a National policy that limits packaging of potato produce in packs not exceeding 50 kilograms. Further, the nominee has never visited any markets that the produce from the County is destined to.

6.4 Integrity

The Committee noted the following with regards to documents submitted by the nominee

SNO.	Documents	Remarks
1.	National Identification Card/passport	The nominee submitted her National ID card No 12936114 confirming that she is a Kenyan citizen.
2.	KRA compliance	The nominee submitted During the vetting, the nominee submitted valid KRA tax compliance certificate
3.	Higher Education Loans Board (HELB)	During the vetting, the nominee submitted a valid HELB compliance certificate serial No 452698 in the year 2013.
4.	Clearance from EACC	The nominee submitted a sworn self-declaration form to EACC as required under the Leadership and Integrity Act.
5.	Clearance from the Criminal Investigation Department.	The nominee submitted a valid police clearance certificate dated 31.08.2022
6.	Clearance from professional bodies	The nominee is not a member of any professional body
7.	Clearance from Credit Reference Bureau	The nominee submitted a valid CRB clearance dated 17.08.2022
8.	County Assembly vetting questionnaire	The nominee submitted a filled questionnaire indicating that she is Kenyan and her place of permanent and current residence is Bomet.

Other Key Areas on Vetting of the Nominee

The Committee observed the following with regards to key areas of vetting of the nominee:

NO	KEY AREAS VETTED	COMMITTEE OBSERVATIONS
10.	Academic Qualification	The nominee holds a Bachelor of Education Degree (2013) from the African Nazarene University. She also holds a Diploma in ECDE (2009). The nominee therefore fulfilled section 35(3) (b) of the County Government Act, 2012.

11.	Communication and presentation (promptness, appearance, neatness of resume/application)	The nominee did not sufficiently communicate her understanding of the portfolio promptly before the committee. She is not aware that LREB is not budgeted for in the current FY. She claimed there was a budget of Kshs 20 million. The nominee further added that she was not aware of pending bills relating to the conference held in Bomet County in 2018/2019 yet this item has consistently been budgeted for.
12.	Education and Training (Relevant to the portfolio)	The nominee did not demonstrate to the committee that her education background, training and experience was relevant to the portfolio.
13.	Work Experience as it relates to the position	The nominee has more than 20 years' experience in the education sector and has served as Board Member of various school boards and Hospital Management Board. She has also served as a County Executive Committee Member in charge of Trade, Energy, Tourism, Investment and Industry in Bomet County for a period of over three years. The Committee noted that these skills have not been fully displayed in her current docket
14.	Professional skills and technical skills	While the nominee has administrative skills in management and public service having served at senior positions in public institutions she did not apply these skills sufficiently in her docket. The committee noted that the nominee did not exhibit sufficient understanding of the docket of Trade, Energy, Tourism, Investment and Industry, the position she has been nominated to serve in. She has not organized any trade fairs in the County despite attending two such fora. The Committee noted the nominee claimed that the budget in her docket (current FY) is Kshs 50M and yet the records show that it is Kshs 68 Million. The nominee also acknowledged that she has not developed any working documents or strategy papers in

		her docket. The Investment Handbook is yet to be developed.
15.	Additional skills as per the position applied for	The nominee did not demonstrate additional skills. She did not make additional follow up meetings after the initial general public fora to ensure Chebunyo Cattle auction is operational (Bomet side) nor did she make follow up on status of Mulot Slaughter house after it was closed to ensure it is reopened so as to contribute to the county revenue which has been on a flat trajectory
16.	Knowledge on the laws of Kenya and other guiding principles e.g. The Constitution of Kenya, 2010, The devolution laws, vision 2030, etc.	The nominee was not conversant with the relevant laws of Kenya, the relevant policies and the functions of the department Trade, Energy, Tourism, Investment and Industry. She is not aware there is unrest in the Tea sector after introduction of Tea plucking machinery. She is of the opinion machines should be banned which portrays lack of knowledge on matters like investor confidence or how to strike a balance in such a situation. She is not aware there is a policy that limits packaging of potatoes in bags that do not exceed 50kg
17.	Leadership and Integrity as per Chapter Six of the Constitution of Kenya, 2010.	The nominee submitted the original documents as required by the Constitution of Kenya, 2010. She therefore, satisfied the requirements as per Section 35(3) (c) of the County Governments Act, 2012.
18.	Decision making and problem-solving skills	The nominee did not demonstrate practical solutions to the challenges affecting the sector of Trade, Energy, Tourism, Investment and Industry. She has never engaged traders dealing in fresh produce in Youth Farmers who are exploited by middle men nor has she sought to find alternative markets for the county produce

COMMITTEES'S FINDINGS

The Committee having observed the oral submissions by the nominee and the documents submitted to it, made the following findings:

1. THAT, the nominee meets the requirements of Chapter 6 of the Constitution on leadership and integrity having obtained clearance from the following statutory bodies; the Kenya Revenue Authority (KRA), the Directorate of Criminal Investigations (DCI), and the Higher Education Loans Board (HELB).
2. THAT as at Monday, 24th October, 2022, The Ethics and Anti-Corruption Commission (EACC) had not responded to the letter by the Clerk of the County Assembly dated 14th October, 2022 requesting for reports with respect to the nominee on ethics and integrity compliance.
3. THAT her academic credentials, professional training and experience comply with section 6(7) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2022.
4. THAT Pursuant to Section 35 of the County Government Act, 2012; the Committee found the nominee not suitable for appointment as the County Executive Committee

Member in charge of Trade, Energy, Tourism, Investment and Industry

COMMITTEE'S RECOMMENDATION

At the end of the vetting process, the Committee made the following recommendation: -

That; having considered the suitability, capacity and integrity of the nominee, and pursuant to Section 9 (2) of Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the Committee recommends that the County Assembly rejects the appointment of Juliah J. Chepkuto to the position of County Executive Committee Member for Trade, Energy, Tourism, Investment and Industry

Hon Speaker, I therefore urge Hon Cheptoo to Second.

Hon. R. Cheptoo: Hon Speaker I beg to second the rejection of appointment of Chepkuto Julia Chepchirchir as the CEC in Charge of Trade, Energy Tourism and investment industry.

Question on the Motion proposed.

Hon. R. Ruttoh (Chemaner Wad, UDA): Mr. Speaker I rise to oppose the motion. I was following keenly when Hon Chepkuto was being interviewed and it has come to my concern that she was not captured properly.

She is among those that performed well. I have 10 floodlights in my ward that were installed in leadership of Chepkuto. I realised that she was not feeling well till date.

Hon. Speaker (Hon. C. Korir): Do you have a letter from the doctor, you need to table

Hon. R. Ruttoh: Mr. Speaker, if you visit her physically she is not feeling well. Hon Speaker if it a major of concern to table the letter from the doctor I withdraw. I urge the Members to reject this motion because we will loose an important person. Let us be keen not to loose important people in our society. I oppose this Motion and urge members to oppose.

Hon. K. Ngetich (Siongiroi Ward, CCM): Mr. Speaker, I am one of the committee Member on appointment but I want to register my parting shot. We never gave Hon Chepkuto enough time. At times during interview one can become naïve and when Hon Chepkuto was being interviewed you could notice she was not feeling well. She has done a lot in my ward.

Hon D. Busienei rose on a point of order.

Hon. D. Busienei (Chemagel Ward, UDA): Hon Speaker Is the Member on the floor in order to insinuate that Hon Chepkuto was not feeling well and they did not indicate in the report unless the members were not feeling well and did not follow what Hon Chepkuto was saying.

Hon. Speaker (Hon. C. Korir): Hon. Members the nominee did not show signs of sickness neither was there a letter from the doctor. Kindly withdraw the statement.

Hon. K. Ngetich (Siongiroi Ward, CCM): Maybe she was naïve during interview. I was talking about Iria Maina. She had limited resources in her department. She was so sincere. I had to go deep inside Siongiroi forest and I saw she has done a lot. I ask her if she was aware of the budget allocated to her department and she said she was not sure. If I was asking I would lie.

Hon. Speaker (Hon. C. Korir): Hon Member is that captured in the report?

Hon. K. Ngetich (Siongiroi Ward, CCM): Hon Speaker I have rejected the report

Hon. Speaker (Hon. C. Korir): But you signed the report

Hon. K. Ngetich (Siongiroi Ward, CCM): I signed the report but I am at liberty to change. I reject the report. Julia Chepkuto should be given fair judgment.

Hon. P. Mutai ((Sigor Ward, UDA): Mr. Speaker let me contribute to the motion. I have checked the report but it seems they were under duress or they rushed the report because in the morning we were given information about the first nominee. There comments were negative.

Hon. Speaker (Hon C. Korir): Kindly concentrate on the motion.

Hon. P. Mutai (Sigor Ward, UDA): Mr. Speaker Hon. Member who was part of the committee has rejected the report as to what he signed meaning they rushed on report making. Hon Chepkuto was subjected to irrelevant questions like plucking of tea which should fall under department on Agriculture. She was supposed to be asked how she has assisted our county on marketing of our tea, not plucking of tea. She was subjected to some of the irrelevant questions. I believe that honourable Chepkuto, given time, and learning from the information and report obtained from the committee, can become a qualified and experienced leader in our County.

So, I wish to reject the Motion and urge the honourable Members to support Chepkuto and bring her back as the CEC in-charge of Trade, Energy, and Tourism for the betterment of our County.

Thank you.

(Hon. W. Kiprotich rose on a point of order)

Hon. W. Kiprotich (Chepchabas Ward, UDA): Hon. Speaker, I thank you for giving me this opportunity to contribute on this motion. From the onset as I have heard my colleagues speak, I wish to report that I am rejecting the rejection of Julia Chepkuto.

I will just mention some few things. Just like Penina Malonza in the National Assembly recently, when the rest of the CSs were being approved, she was rejected by the Committee totally. The National Assembly, in its own wisdom, was able to make her see the light of the day. I also do not want us to be found on that particular scenario.

Several Members have spoken about what would have happened. A Member has alluded that some of the questions that Julia was asked, did not fall exactly on her docket.

I also, in the report, want to say that Julia Chepkuto was a very honest woman. When she did not know, she spoke frankly that she did not know.

I want to quote only one part that she was asked about the twenty-five million shillings for Economic Processing Zone (EPZ) that was supposed to be erected in Kipsonoi Ward. We budgeted for it in this Assembly but with the anticipation that there would be land. At the end of the day, there was thirty acres of land got. So, we reallocated the money, and it was beyond her control to go and force anyone to produce that particular land.

Based on these facts, honourable Onzoro, in Parliament, said that may be Penina Malonza was undergoing some biological processes. Could we also think that Julia was undergoing the same?

I oppose the Motion.

Thank you.

Hon. P. Ronoh rose on a point of order

Hon. P. Ronoh (Kipsonoi Ward, UDA): Mr. Speaker, thank you. I rise to oppose the Motion beforehand. I am lucky to have had the opportunity to follow the proceedings live during the vetting, and I may not agree with the honourable Members that Chepkuto was not feeling well because she was able to siphon more than two litres of *Del Monte*; the truth is that the Committee on Appointments changed the session into an academic exercise. To my observation, they were testing her ability to communicate in the Anglo-lingual. I am also struggling because it is a new language in our land, but in-depth, Chepkuto is astute mother who fears sin. She was very honest on what she did not know then.

I want us to rise to the occasion and give her a chance. After all, Bomet is a rural County. We do not expect a lot of white touring. We are supposed to be persuaded to visit Iria Maina as indigenous tourists and can communicate in local dialect if she must show us around the caves.

The question on EPZ is a bit queer. Though we might say that J. Chepkuto is not directly answerable to it, the people of Kipsonoi are waiting for her. So I support her reinstatement to the office so that we follow up on the matter. We have got land, and so the twenty-five million shillings which was allocated earlier should be reallocated so that we get EPZ in Kipsonoi.

I support Chepkuto's reinstatement, and therefore reject the Motion on her rejection.

Thank you.

(Hon. E. Kirui rose on a point of order)

Hon. E. Kirui (Kimulot Ward, UDA): Mr. Speaker, thank you. I rise to request for a session for rebattle, especially towards the Committee on Appointments. I have listened keenly to the honourable Members who have stood to contribute to this Motion. I want to say that I hold them with high esteem, but I want to say that the Committee on the Appointments did their work diligently. For any Member here to allude that we were in an English class or otherwise, I think I stand guided if these Members are here to make fun of the work that we did as a Committee. This is a serious thing that we are doing in this County. May be even if we are on a psychological trip to massage other people's egos, I want to tell you that you have the opportunity to redeem the image of Assemblies being rubber-stamps of some quotas. These honourable Members have a duty to the County Government of Bomet and the people who elected them. I would be surprised that there would be any amusement this afternoon for people who are probably watching us from

our homes seeing the kind of engagement we are having and belittling the work that has been done by a serious Committee chaired by honourable Speaker.

I want to urge Members that even as you contribute to this Motion, treat the work of the Committee diligently. It might not bite you today, but going to into the future in terms of delivery of service, you will have to look back to where you started from. As we start on a bad foot today or whatever you want to call it, I wish to tell the Members that we will all, someday, be accountable to what we do here. Even as we deliberate, the facts have been laid there before hand. Our work was just to deliberate and give our opinions. Once it comes to the floor of this Assembly, the only thing that I would stand to defend is the integrity of the process. The rest of the decisions will be left to the Assembly.

I will be there to just watch and see how these Members deliberate on those issues.

Thank you.

Hon. Speaker (Hon. C. Korir): Do you therefore support the rejection?

Hon. E. Kirui (Kimulot Ward, UDA): Mr. Speaker, I have said that I leave it to the Assembly to make their own determination...

Hon. Speaker (Hon. C. Korir): This is a Motion honourable Member where you are either rejecting or opposing.

Hon. E. Kirui (Kimulot Ward, UDA): I support.

(Hon. D. Busienei rose on a point of order)

Hon. D. Busienei (Chemagel Ward, UDA): Mr. Speaker, thank you. I am a bit perturbed by what is going on in this Assembly when Members who sat in the Committee are now rejecting the report that they wrote.

I would like to take seriously the Committee, and respect it. When it comes up with a report, and do not have clear decisions, this Assembly makes decisions on its behalf. When it is clear that it supports a certain position, we support, and when it rejects we reject.

In that report, I heard from the Leader of Majority, because I do not have a copy of the report, that when she was asked about the marketing of potatoes, it seems she was not aware and she forgot. When she was asked about marketing of tea, she had also forgotten. About six items, she forgot.

It seems this forgetting is viral such that Members who sat there have forgotten that they had rejected her initially.

We should take this Assembly seriously. I know that our voters and Kenya at large are watching us.

I would like to say about this report that, if indeed the Committee sat, went for sometimes, wrote the report, and was unanimous that they reject, I therefore today...

Hon. E. Kirui (Kimulot Ward, UDA): I want to ask to ask the Member to clarify what “unanimous” means in accordance to what he was telling us.

Thank you.

Hon. D. Busienei (Chemagel Ward, UDA): I said that most of the Members forgot.

In this note, I would like to say that I support the rejection of this particular Chepkuto Julia.

Thank you.

Hon. V. Rop (Nominated MCA, UDA): Mr. Speaker, thank you. On the same note, may be to redeem myself from what honourable E. Kirui has said that the Assembly has digressed into a sort of a comedy show, I would also like to stand to reject the rejection of honourable J. Chepkuto. As a resident of Bomet County, I have seen tremendous things that the department of Trade, and Energy has done. Firstly, on the height of elections this year, we saw our governor unveil the new Sigor market.

This market was done under the leadership of J. Chepkuto. The new market behind us here is under maintenance by the leadership of J. Chepkuto. Installations of flat lights across this County and centres, together with *Boda boda* shades were done under the docket of J. Chepkuto.

I beseech the honourable Members to give the Executive ample time because their success is also ours.

I reject the Motion.

Thank you.

Hon. E. Rich (Mogogosiek Ward, UDA): Mr. Speaker, thank you. I wish to register my rejection to this rejection. I happen to be learning the intrigues, and how this Assembly is ranked, how the business is being done.

From the findings of the Committee, I find that J. Chepkuto has passed the first test of integrity, and thus she earns my support.

On her academic qualifications, she is also qualified for the position, therefore she earns my support.

On the Suitability, and capacity to deliver, I have heard Members say that, there are some work that has been launched by His Excellency the Governor that was done during her time. That tells us about her capacity to deliver in the position that she was serving in before.

I have seen report being brought, and in the findings of Membership, the conclusion is otherwise. So, I better be on the right position by rejecting the rejection.

Thank you.

Hon. B. Langat (Kembu Ward, UDA): Hon. Speaker, thank you. I stand to oppose the Motion because, among the nominees we had, why should we reject the only lady we have in this honourable Assembly, and she is the one who has given us development across our County. We have...

Hon. D. Busienei rose on a point of order

Hon. D. Busienei (Chemagel Ward, UDA): Hon. Speaker, is it in order for honourable Member to say that we have approved all, and this is the third one?

Hon. B. Langat (Kembu Ward, UDA): May be it was a slip of the tongue. I urge honourable Members to consider J. Chepkuto. I think wherever she has reached in her work, she can finish this term.

Thank you.

Hon. D. Kirui (Ndaraweta Ward, UDA): Mr. Speaker, thank you for giving me this opportunity to reject the Motion beforehand.

There is a statement that most of the Members like using when debating, that we came here to discuss issues seriously. I agree.

English should not be a measure of intelligence. J. Chepkuto was very brief to the point. All the answers she gave were factual.

I request the Members to relook at what Chepkuto did during her tenure. Given a chance, she will deliver.

Thank you.

(Hon. B. Rotich rose on a point of order)

Hon. B. Langat (Kembu Ward, UDA): Mr. Speaker, thank you for the opportunity you have accorded to me. I wish to beseech you to read the mood of the Assembly and put the question.

Otherwise, I oppose the Motion.

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Thank you.

(Hon. J. Samoei rose on a point of order)

Hon. J. Samoei (Nyangores Ward, UDA): Mr. Speaker, thank you. I rise to oppose the Motion. We all know that honourable Chepkuto was one of the CECs that were retained by the governor, Prof. Hillary Barchok. For that reason, she must be a performer.

Given chance, she will perform better. I oppose the Motion.

Thank you.

(Hon. P. Kirui rose on a point of reply)

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Mr. Speaker, I wish to thank the honourable Members for the debate that has gone on.

As a Committee, we really deliberated and arrived at a point where we have presented to the Assembly.

Having brought the Motion to this Assembly, we therefore say that the decision was that we can also handle together. I therefore say that the Motion was rejected, and it is therefore upon this Assembly to come up with a decision.

Thank you.

Hon. Speaker (Hon. C. Korir): Hon members, we have reached the end of this motion where you have debated and given your inputs. I just want to bring to your attention that when a committee sits, it sits for the good of the Assembly and for the betterment of the whole county. For members to insinuate that ours were under duress and others are not admissible. If I ever hear that again, I must suspend or instigate some measures against the member. Every committee that does its work does on behalf of the members. That's why you are given opportunity as members to debate upon it. You just deal on the matter that you know the facts over the ground but on the integrity of any committee that's why they bring it to the floor of the Assembly for the members to decide. That committee I chaired and the members were there and they contributed. They have given their views and it's upon this Assembly now to make their decision. Now you are all part of committees and we believe when you do it, you do it because all of us cannot do the same work at the same time. So on that point, I want us to respect all the committees that we have. All of you will come up with reports in future, I the speaker will not allow the members to use nugatory terms on committees. Now up to that point I think we have reached the end of that debate. Now I want to put the question.

The question on the motion is put and not agreed to

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Hon. Speaker (Hon. C. Korir): Members, may I bring o your attention that when you reject a committees report that she be rejected and the Assembly rejects the rejection, it means then there's nothing that has continue. So unless another motion comes for hon. Chepkuto, hon. Chepkuto is now not approved neither rejected.

(Hon Dancel Kirui rose to move the notice of motion)

Hon. D. Kirui (Ndaraweta Ward, UDA): Hon. Speaker, I beg to give notice of the following motion:

The motion notice of motion is tablet

Hon. Speaker (Hon. C. Korir): I therefore direct the Assembly business committee to slot in the motion on the notice that has been given by hon. Dancel before end of today. Next order...

Hon. N. Kibet (Siongiroi Ward, CCM): I want to request because some of the submissions that we are making in this motions are repetitions. So I request in the expense of time that we just go straight to submission of the committee.

Hon. Speaker (Hon. C. Korir): Alright, I think taking cognizant of time, its only prudent that hon. majority leader goes directly to submission.

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi, UDA): Okay, thank you Mr. Speaker, the motion no. 9 that pursuant order 197 of the county assembly standing orders, the county assembly adopts the sixth report of the committee on appointment of the vetting of county executive committee member nominee in charge of water, sanitation, environment, natural resources and climate change. And pursuant to Article 179(2b) of the constitution of Kenya 2010, approves the appointment of Dr. Benard Cheruiyot Tanui as the county executive committee member in charge of water, Sanitation, environment, natural resources and climate change. I will therefore the other part is the same as the ones previously submitted. So I will start with no. 6, oral submission from Dr. Benard Cheruiyot Tanui:

Dr. Benard Cheruiyot Tonui, the nominee to the Office County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change on Tuesday, 25th October 2022 and was vetted under oath under Article 152(2) of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders of the County Assembly. The Committee noted the following:

The nominee is a male Kenyan born on 10th January 1984 in Bomet County. The nominee confirmed that he was a Kenyan citizen and did not hold any other citizenship.

ACADEMIC AND PROFESSIONAL QUALIFICATIONS

The nominee holds a Doctor of Philosophy Degree in Applied Statistics from JomoKenyatta University

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of Agriculture and Technology. In addition, he holds a Master of Science in Statistics from the University of Nairobi and a Bachelor's Degree in Education (Science) from Egerton University.

EMPLOYMENT RECORD

The nominee is currently a lecturer at the University of Kabianga where he teaches and supervises undergraduate and postgraduate students in a position he has held since January 2022. Before the post in (a) served as an assistant lecturer in the same university from September 2012. He served as an Assistant lecturer at Mwenge University College, Tanzania from May to September 2012. The nominee also served as a teacher at Marinyin Secondary School, Bomet from the year 2007 to 2008.

Change of Chair

Hon. Deputy Speaker (Hon. L. Rotich took Chair)

The nominee submitted that he did not support the current Governor Prof. Hillary Barchok during the campaigns in the run-up to the 2022 general elections but he was glad that he considered nominating him to the position.

POTENTIAL CONFLICTS OF INTEREST

The nominee declared that he is not associated with any person or matter that would present a potential conflict of interest should he assume the position of County Executive Committee Member for Water, Sanitation, Environment, Natural Resources and Climate Change.

INCOME AND NET WORTH

The nominee stated that his estimated net worth was Kshs. 6,000,000.

To assess the nominee's overall suitability for the position, the Committee examined the nominee on general and specific thematic areas which the nominee responded as follows:

On his management abilities and skills in the public sector considering that his experience was confined to lecture halls.

The nominee submitted that he had served at a public university for over 10 years and that he considered that this experience merited his appointment to the docket of CECM for Water, Sanitation, Environment, Natural Resources, and Climate Change. He added that in the course of his service at the university he has served in different managerial positions including being the head of examinations and a member of university management committees.

The nominee submitted that the field of applied statistics applies to different sectors of the economy including that Water, Sanitation, Environment, Natural Resources, and Climate Change. He argued that the sector faced quantitative problems and he could apply his knowledge of statistics to solve them.

The nominee also submitted that water and sanitation issues were closer to his heart, having grown up in a region (Chepalungu Sub County) where water scarcity was rampant and residents had to travel long distances to fetch water. He added that he had always yearned for an opportunity to solve the issue and that the nomination accorded him the opportunity.

G. On the specific ways in which he will use his knowledge in statistics to solve the sector problems

The nominee submitted that he would employ his knowledge in statistics.

The nominee also added that he had vast knowledge of Geographical Information Science (GIS) which he will apply to map water and sanitation resources across the county and how to distribute them.

d On leadership, integrity, and political neutrality in public service

The nominee submitted that if approved, he will offer his services diligently and without favor and as per the provisions of the constitution. He added that he will remain politically neutral and will serve all the residents impartially.

The nominee submitted that he did not support the current Governor Prof. Hillary Barchok during the campaigns in the run-up to the 2022 general elections but he was glad that he considered nominating him to the position. On this, the nominee said he will be loyal to the government in power.

On practical interventions to oversee the management and conservation of ecosystems.

The nominee submitted that climate change was about a 'rise in temperatures' and 'emission of dangerous gases into the atmosphere. He submitted that, if appointed, he will ensure that the forest cover across the county is increased. He will take initiative to ensure the use of environmentally friendly cooking fuel.

On how he will mainstream climate change in the development plans of the county

On the issue, the nominee submitted that he will ensure that Climate Change Action Plan is in place and is captured in the CIDP.

On his views on Carbon Credits and how he will ensure Bomet County**Benefits from the same**

The nominee submitted the issue of Carbon Credit is an emerging issue in environmental conservation. He argued that if appointed, he will ensure that farmers from tea-growing areas like Bomet Central and Konoin benefit from carbon credits. He stated that Muranga is already benefitting from the initiative.

On his views on the current state of Bomet Water Company and steps to turn around the institution.

The nominee submitted that he was aware that the company was facing many challenges, including the high cost of production and a huge wage bill and due to this, it has not been able to sustain its programs.

To cut the cost of production, the nominee submitted that he will pursue a gravity-based water supply system and therefore reduce the surging power costs. He said that to address the issue of the high wage bill, he will ensure that the Bomet Water Company employs majorly technical staff and reduce the administrative.

On how he will execute Public Private Partnership

The nominee said that if appointed, he will build a good relationship with development partners particularly the Kenya Red Cross Society (KRCS) in executing water projects. He also said that he will develop a county policy aimed at legalizing Public Private Partnerships (PPP) that will be adopted by the County Assembly.

On his understanding of the Water Act 2016

The nominee submitted that the Act stipulates the roles of the National Government and the roles of

County Government in water resources. He said that at the national level, the Act gives powers to Water Resource Management Authority (WARMA) to manage water resources. On the County level, the Act gives powers to the county governments to manage water distribution.

On natural resource management

The nominee submitted that the county is endowed with several natural resources such as water, forests, and wildlife. And if given the opportunity, he will work to identify and develop more natural resources.

COMMITTEE'S OBSERVATIONS

After the vetting exercise, the committee made the following observations regarding Dr. Benard Cheruiyot Tanui.

NO	KEY AREAS VETTED	COMMITTEE OBSERVATIONS
1.	Academic Qualification	The nominee holds a Doctor of Philosophy Degree in Applied Statistics from Jomo Kenyatta University of Agriculture and Technology. In addition, he holds a Master of Science in Statistics from the University of Nairobi and a Bachelor's Degree in Education (Science) from Egerton University. The nominee, therefore, fulfilled Section 35(3)(b) of the County Government Act, 2012.
2.	Communication and presentation (promptness, appearance, neatness of resume/application)	The nominee has an in-depth experience in Academia and limited experience public servicesector. He communicated effectively.
3.	Education and Training (Relevant to the portfolio)	The nominee attempted to prove to the Committee that his education and training are relevant to the portfolio. He however could not produce recommendations/ research papers that proved linkages between his statistics background and the sector he has been nominated to.

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|---|--|
| 4. Work Experience as it relates to the position | The nominee has more than 12 years' experiences a university lecturer. |
| 5. Professional skills and technical skills | The nominee possesses administration skills in administration and public service having served in different managerial positions including being the head of examinations and a member of university management committees. The |
| 6. Additional skills as per the position applied for | <p>nominee attempted to demonstrate that he is a good communicator and he is an authority in his field of statistics.</p> <p>He however could not produce recommendations/ research papers that proved linkages between his statistics background and the sector he has been nominated to.</p> <p>He could not address the issue of climate change sufficiently.</p> <p>The nominee was fairly conversant with the operations of the county government, the statutes governing county government and public service, and other guiding principles and regulations about the portfolio.</p> |
| 7. Knowledge of the laws of Kenya and other guiding principles e.g. The Constitution of Kenya, 2010, The devolution laws, vision 2030, etc. | The nominee submitted the original documents as required by the Constitution of Kenya, 2010. He, |
| 8. Leadership and Integrity as per Chapter Six of the Constitution of Kenya, 2010. | therefore, satisfied the requirements as per Section 35(3)(c) of the County Governments Act, 2012. |

9.	Decision-making and problem-solving skills	The nominee was able to provide real and practical solutions to the problems facing the water, Sanitation, Environment, Natural Resources and Climate Change docket.
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COMMITTEE'S RECOMMENDATIONS

At the end of the vetting process, the committee made the following recommendation:
That, having considered the suitability, capacity and integrity of the nominee, and according to **Section 9 (2) of Public Appointments (County Assemblies Approval) Act No.5 of 2017**, the Committee recommends that the County Assembly approve the nomination and subsequent appointment of **Dr. Benard Cheruiyot Tonui** as the CEC member in charge of that Water, sanitation and natural resources.

Hon. S. Changmorik rose on a point of order

Hon. S. Changmorik (Longisa Ward, UDA): Hon. Speaker, allow me to move a procedural motion because we are about to be caught by time.

Hon. D. Speaker (Hon. L. Rotich): Ok, continue.

Hon. S. Changmorik (Longisa Ward, UDA): Thank you hon. speaker, allow me to move procedural motion on behalf of the majority leader because he is on the floor. That pursuant standing order no 32(A) the county assembly resolve to extend this afternoon sitting on Wednesday 2nd November 2022 beyond the normal sitting hours until the business appearing in the order paper of the day is dispensed with. Thank you I urge this Assembly to support because this is an important thing that we need to deal with. Let me request hon. B. Rotich to second.

Hon. B. Langat (Kembu Ward, UDA): I second this motion Mr. Speaker, thank you.

Hon. D. Speaker (Hon. L. Rotich): Pursuant to standing order 32(a), this county assembly resolves to extend its afternoon on Wednesday 2nd November 2022 beyond the normal sitting hours until the business appearing in the order of the is dispensed with. We still have work to dispense with. So members can you be bit on that.

Hon. P. Langat (Merigi Ward, Independent): Thank you hon. speaker, I rise to support the motion before us. I sat during the vetting in of our nominee of water and promising statements....

Hon.Changmory rose on appoint of order

Hon. S. Changmorik (Longisa Ward, UDA): I think we can first deal with the Procedural Motion so that we can continue. Maybe you can put the question so that we continue with the motion.

Hon. D. Speaker (Hon. L. Rotich): I now stand to put the question that the procedural motion pursuant to standing order no. 30 (2a), this county assembly resolve to extend its afternoon sitting of Wednesday 2nd November 2022 beyond the normal sitting until the businesses appearing in the order of the day is dispensed with.

Hon. S. Changmorik (Longisa Ward, UDA: Hon. Speaker, allow me to move a procedural motion because we are about to be caught by time.

Hon. D. Speaker (Hon. L. Rotich): Ok, continue.

Hon. S. Changmorik (Longisa Ward, UDA): Thank you hon. speaker, allow me to move procedural motion on behalf of the majority leader because he is on the floor. That pursuant standing order no 32(A) the county assembly resolve to extend this afternoon sitting on Wednesday 2nd November 2022 beyond the normal sitting hours until the business appearing in the order paper of the day is dispensed with. Thank you I urge this Assembly to support because this is an important thing that we need to deal with. Let me request hon. B. Langat from Kembu Ward to second.

Hon. B. Langat (Kembu Ward, UDA): I second this motion Mr. Speaker, thank you.

Hon. L. Rotich (Deputy Speaker): Pursuant to standing order 32(a), this county assembly resolves to extend its afternoon on Wednesday 2nd November 2022 beyond the normal sitting hours

until the business appearing in the order of the is dispensed with. We still have work to dispense with. So members can you be bit on that.

Hon. P. Langat (Merigi Ward, Independent): Thank you hon. speaker, I rise to support the motion before us. I sat during the vetting in of our nominee of water and promising statements.....

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Hon. S. Changmorik (Longisa Ward, UDA): I think we can first deal with the Procedural motion so that we can continue. Maybe you can put the question so that we continue with the motion.

Hon. D. Speaker (Hon. L. Rotich): I now stand to put the question that the procedural motion pursuant to standing order no. 30 (2a), this county assembly resolve to extend its afternoon sitting of Wednesday 2nd November 2022 beyond the normal sitting until the businesses appearing in the order of the day is dispensed with.

Question put and agreed to

The Ayes have it. So, we shall extend this Sitting until such a time we shall have dispense with the business of the Assembly.

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi Ward, UDA): Hon. Speaker, may I now continue on the Committee's observations. The nominee was conversant with the laws relevant. The nominee submitted the original documents as required by the constitution and satisfied the requirements.

The nominee provides real and practical solutions to problems facing water, sanitation, environment, natural resources and climate change.

The committee made the following recommendations. That having considered the suitability, capacity and integrity of the nominee and according to section 9 (2) of Public Appointments (County Assembly) Approval Act, No. 5 of 2017, the committee recommends that the County Assembly approves the nomination and subsequent appointment of Dr. Benard Kiptonui Cheruiyot as the CEC member in charge of Water, Sanitation, Environment, Natural Resources and Climate Change.

Hon. Deputy Speaker, there are many problems facing this department and therefore, there is need to approve this nominee in order for him to swing into action.

Hon. E. Kiprono (Kimulot Ward, UDA): Hon. Deputy Speaker, I support the Motion moved by the Leader of Majority on the adoption of the report of the Committee on Appointments of the nomination of Dr. Bernard Kiptonui Cheruiyot as the nominee in charge of the department of Water, Sanitation, Environment, Natural Resources and Climate Change. He is academically

qualified and had practical solutions to the job before him. He also admitted his deficiencies like in the sector of water. He was candid that he was ready to support the Governor's agenda.

He also admitted that even though he came from another political wing; he was ready to work with the current administration. I have faith that he will deliver on his mandate.

I support the motion and I ask the Members to support.

Question of the Motion proposed

Hon. K. Ngetich (Siongiroi Ward, CCM): Hon. Deputy Speaker, I support the Motion. I humbly ask the Chair to read the mood of the Assembly and put the question

Hon. K. Rotich (Chebunyo Ward): Hon, Deputy Speaker, I support the motion. With the nominee's field in statistics, he will be an asset. I also ask the Chair to read the mood of the Assembly.

Hon. P. Kipkorir (Merigi Ward): Hon. Deputy Speaker, I support the Motion. I was a friend to the Committee and I realized he is qualified. There are incomplete projects in ward and I am sure with his ability, he will complete them.

Thank you.

Question put and agreed to

Hon. D. Speaker (Hon. L. Rotich): Hon. Members, Dr. Bernard Kiptonui Cheruiyot has been accordingly approved as the nominee in charge of the department of Water, Sanitation, Environment, Natural Resources and Climate Change.

Hon. P. Kirui (Leader of Majority) (Ndanai/Abosi Ward): Hon. Deputy Speaker, pursuant to Standing Order no. 197 of the County Assembly Standing orders, this County Assembly adopts the seventh report of the Committee on Appointments on the vetting of the CEC member nominee in charge of Gender, Culture and Social Services and pursuant to Article 179 (2) (b) of the Constitution approves the appointment of Josephine Chepkoech as the CEC member in charge of Gender, Culture and Social Services.

Hon. D. Speaker (Hon. L. Rotich): Hon. Member, kindly skip to Committee's findings. The submissions will be read by Members online.

Hon. P. Kirui (Leader of Majority, Ndanai/Abosi Ward, UDA): Hon. Deputy Speaker, okay. The nominee submitted all the required documents as required by law. The committee therefore observed that the nominee had relevant academic qualifications. He also communicated promptly to the committee. He had about 10 years' experience in senior management position having served as a senior records management officer.

The nominee demonstrated practical solutions to the problems faced at the docket he is being vetted for. The committee noted that the nominee meets the requirements of Chapter Six. At the close of business on the vetting day, the EACC had not responded to the request of the reports with request to nominee on ethics and integrity.

The Committee found that the nominee is suitable for appointment as the CEC member in charge of Gender, Culture and Social Services.

Hon. Deputy Speaker, at the end of the vetting process, the Committee made the following recommendation.

That having considered the suitability, capacity and integrity of the nominee and according to section 9 (2) of Public Appointments (County Assembly) Approval Act, No. 5 of 2017, the committee recommends that the County Assembly approves the nomination and subsequent appointment of Josephine Chepkoech as the CEC member in charge of Gender, Culture and Social Services.

Hon. Deputy Speaker, we arrived at the conclusions that I have read. We found the nominee competent. At some point, she was nervous but she demonstrated that she is able and she will do well in the department nominated for.

I request Hon. S. Changmorik to second.

Hon. S. Changmorik (Longisa Ward, UDA): Hn. Deputy Speaker, we found that the nominee is fit for the position. She demonstrated various community work that she has done to the community. Therefore, I urge the Assembly to approve.

I support.

(Question proposed)

Hon. B. Langat (Kembu Ward, UDA): Hon. Deputy Speaker, I support the motion. I was present during hers vetting. She demonstrated her ability and I request the Chair to put the question.

Hon. C. Langat (Boito Ward, UDA): Hon. Deputy Speaker, I support the motion. Ms. Chepkoech is from Sotik Sub –county and if approved she will be working for the entire county. She is able and has the will. She is also knowledgeable and she met all the statutory requirements.

Hon. Deputy Speaker, from the mood of the Assembly, kindly put the Question. Thank you.

Hon. P. Ronoh (Kipsonoi Ward, UDA): Hon. Deputy Speaker, the nominee is from my sub-county. I can here witness her deeds. The key among them is the creation of awareness on the statistics of persons living with HIV/AIDS. I support and agree that the nominee will not only work for the people of Bomet, she is also a national leader.

I support and urge all Members to support.

Question of the Motion put and agreed to

Hon. D. Speaker (Hon. L. Rotich): Hon. Members, Ms. Josephine Chepkoech has been accordingly approved as the nominee in charge of the department of Gender, Culture and Social Services.

ADJOURNEMENT

Hon. D. Speaker (Hon. L. Rotich): Hon. Members, there being no other business, the Assembly stands adjourned to Thursday, 3rd November, 2022 at 2. 30 p.m. I also direct that the Assembly Business and Rules Committee meet to allocate business for tomorrow.

The Assembly rose at 7. 00 p.m.